



MONTGOMERY COUNTY COUNCIL
ROCKVILLE, MARYLAND

DAWN LUEDTKE
COUNCILMEMBER
DISTRICT 7

February 21, 2025

The Honorable Luke Clippinger
Chair, Judiciary Committee
101 Taylor House Office Building
6 Bladen Street
Annapolis, Maryland 21401

RE: House Bill 954, *Public Safety - State and Local Governments - Use of Unmanned Aircraft*

Dear Chair Clippinger,

I urge the Committee to provide an unfavorable recommendation for House Bill 954 - Public Safety - State and Local Governments - Use of Unmanned Aircraft. As drafted, HB 954 would have the following detrimental effects:

- Essentially terminates the Montgomery County Police Department's Drone as First Responder program, which the department implemented with great care and attention to constitutional law, guidance from the ACLU, and community feedback;
- Creates requirements that go beyond the well-established constitutional jurisprudence in this area of law; and
- Creates a statutory exclusionary rule that is unduly restrictive well beyond the parameters of the Fourth Amendment and existing controlling State and federal case law.

Constitutionally sound use of technology serves as a force multiplier for our staffing challenged public safety agencies. The Montgomery County Police Department's Drone as First Responder Program has provided tremendous benefit to our community, not just in criminal matters but in suicide prevention and locating children and adults with autism who have eloped from their residences. Moreover, evidence gathered by the drone during its operations has been admitted in the Circuit Court for Montgomery County in successful prosecutions.

In Montgomery County, we have taken a highly detailed approach to the implementation and expansion of the DFR program which is about to commence operations in a fourth location, Downtown Bethesda. This Committee has had the opportunity to hear from our DFR team, as well as from Jay Stanely at the ACLU who worked with our team at MCPD as the program was

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developed at a hearing before this body held on January 15, 2025. I made myself available to the Committee that day as well - I have been a strong proponent of the program and of constitutionally sound use of technology in the assistance of public safety duties for some time now. I have taken an additional step with colleagues by co-sponsoring pending legislation (Montgomery County Council Bill 4-25), introduced on February 11, 2025 to codify MCPD's process used to engage and inform the community before implementing new public safety technology.¹

I do believe that the State of Maryland should explore a legislative framework modeled after Montgomery County's DFR program so that there is uniformity and constitutional fidelity throughout all twenty-four jurisdictions. I welcome the opportunity to collaborate with committee members, and in furtherance of my ongoing collaborative work with MCPD in this space, to help inform that effort. We also welcome the opportunity to have committee members tour the DFR command center so that those who wish to do so may see the operations and provide greater context as to how it works.

For the foregoing reasons, I respectfully request an unfavorable report on HB 954. Please do not hesitate to contact me or my office if you have any questions. I welcome the opportunity to discuss further.

Very truly yours,



Dawn Luedtke
Montgomery County Councilmember
District 7

cc: Members of the House Judiciary Committee

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https://apps.montgomerycountymd.gov/ccllims/DownloadFilePage?FileName=2857_1_26009_Bill_4-2025_Introduction_20250211.pdf